

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 521

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR GROSS.

Read 1st time February 18, 2003, and 1,000 copies ordered printed.

Read 2nd time February 25, 2003, and referred to the Committee on Economic Development, Tourism and Local Government.

Reported from the Committee March 10, 2003, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 18, 2003. Read 3rd time and placed upon its final passage; bill passed.

1683S.01P

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to bonds of officers and contractors for public works.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be known as section 34.059, to read as follows:

34.059. 1. No public entity, nor any officer, agent, or employee acting or purporting to act on behalf of such public entity, shall require a bidder, proposer, or contractor to obtain or procure any surety bond, including but not limited to, bid bonds, payment bonds, and performance bonds, from a particular insurance or surety company, producer, agent, or broker in connection with any contract for the construction of public works.

2. Any provision in a public works contract, bidding documents, request for proposals, or similar document in conflict with this section shall be void as contrary to the public policy.

3. As used in this section, the terms "public entity" and "public works" shall be given the definitions as set forth in section 107.170, RSMo.